IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO. 3302 OF 2006

Baburao Sukhdeo Kale .... Petitioner

versus

Rukminibai Popat Lohande & ors..... Respondent.

Shri D.A.Patil & Deepa Malawankar for the petitioner.
Shri T.R.Ingale i/b. B.K. Barve for respondent no.1.

CORAM; A.P. DESHPANDE, J.
DATED; 21ST AUGUST, 2007

P.C.;

1. The present respondents are original plaintiff who institued a suit for partition and separate possession. In the said suit the plaintiffs moved an application at Exh.5 seeking to restrain the present petitioner from alienating the suit property and/or creating third party interest therein until final decision of the suit. Temporary injunction prayed for by the plaintiff has been granted by the trial court. The Misc. appeal carried against the same before the First Appellate Court has been dismissed and aggreived thereby this writ petition has been filed.

2. Perused the impugned order. The same does not call for any interference as no patent illegality is shown to have been committed. However having regard

to the fact that the suit is pending since the year 2001 it would be in furtherence of justice to direct the trial court to decide the suit as expeditiously as possible and preferably within six months from today, hence I order accordingly.

3. Civil Application No. 2177/07 for amendment is allowed.

...